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WASHINGTON DC 20006

In re Application of	:	
MIYAKOSHI et al.	:	DECISION ON
Application No.: 10/587,949	:	
PCT No.: PCT/JP2005/001809	:	PAPERS
Int. Filing Date: 08 February 2005	:	
Priority Date: 17 February 2004	:	UNDER 37 CFR 1.42
Attorney's Docket No.: 060434	:	
For: COLLOIDAL METAL-CONTAINING URUSHI	:	
LACQUER AND URUSHI LACQUERED ARTICLE	:	

This is a decision on the submission filed by applicants on 02 August 2006, which was accompanied by, *inter alia*, a declaration of the inventors. The indication in this declaration that inventor Kiskey Nagase is deceased has been treated as a request for status under 37 CFR 1.42.

### **BACKGROUND**

On 08 February 2005, applicants filed international application PCT/JP2005/001809 which claimed a priority date of 17 February 2004 and designated the United States. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 25 August 2005. The thirty-month period for paying the basic national fee in the United States expired at midnight on 17 August 2006.

On 02 August 2006, applicants filed a transmittal letter for entry into the national stage in the United States accompanied by, *inter alia*, the basic national fee, an English translation of the international application, and a declaration of inventors. The indication in this declaration that inventor Kiskey Nagase is deceased has been treated as a request for status under 37 CFR 1.42.

### **DISCUSSION**

The declaration filed 02 August 2006 fails to comply with 37 CFR 1.497(a)-(b). The declaration does not include the full name *and citizenship* of the deceased inventor (37 CFR 1.497(a)(3)).

Additionally, the declaration of inventors filed 02 August 2006 is not in compliance with 37 CFR 1.69(b); specifically applicants have not used one of the pre-approved foreign language forms nor have applicants furnished the requisite statement attesting to the accuracy of the translation.

**CONCLUSION**

For the above reasons, the request for status under 37 CFR 1.42 is **REFUSED**.

Please direct further correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

Applicant is required to submit a declaration in compliance with 37 CFR 1.497 and 1.42 and either a pre-approved foreign language declaration in compliance with 37 CFR 1.497(a)-(b) or the requisite statement under 37 CFR 1.69(b) that the translation is accurate within a time period of **TWO (2) MONTHS** from the mail date of this Decision. **THIS PERIOD FOR RESPONSE MAY BE EXTENDED UNDER 37 CFR 1.136(a). FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.** Any request for reconsideration of this decision should include a cover letter entitled "Renewed Submission Under 37 CFR 1.42."



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